

Editorial Page of "The Capital Journal"

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THE SUPREME BOSS

The railroads are each and all bringing actions against the trainmen and United States district attorneys to prevent the Adamson law being made effective. In most of these cases the complaint sets up that the law is unconstitutional. This law was passed by the two houses of congress, was signed by the president and became a law thereby. It was passed by the people through their representatives, and was, and is therefore, the act of the people. Who then has a right to say it is unconstitutional, or for that matter say anything else about it that can in anyway affect it? In the formation of the government there were three distinct and co-ordinate branches of government established. The executive, the legislative and the judicial. At no time was the judicial branch given any authority over the others, and that it assumes that authority is in itself unconstitutional.

There is no branch of government above the people who compose the governed, and who under our system are the government. Their will is law. They can change the constitution at any time and do away with the judicial branch entirely if they see fit to do so.

When did the judges of the country become greater than the people? Can a creature become greater than its creator? Can a judge appointed by the people through their president tell the president where he must get off at? Can a judge or a supreme court override the will of the people and tell them they shall not have something they have voted to have? The legislators fresh from the people pass a law the voters demand; by what authority does anyone presume to question the right of the people to have what they want, and to tell them they cannot have it? If there is anywhere in any constitution this authority granted to the judiciary, it should be published to the world so that all may know that here in America where the people rule or are supposed to, there is a power greater than the legislature, greater than the president and higher than the people themselves. If this is the case then we are no longer a free people but one over whom there is a power higher than all else except God. If this idea of the supremacy of the judiciary is right then the time is not far distant when the people will select a judiciary that will let them have something to say about what they want in the way of laws.

It is a great thing for just such cases as that now arising over the Adamson bill, and it suits the eight billion dollar organization exactly, to have a branch of the government above the people to which it can appeal, an all-powerful branch of government that will assist the railroads and the eight billion dollar gang to override congress and the president, and snap their fingers at the people. The first thing the attorneys for the government should do is to test the constitutionality of the judge-made proposition that the judicial system is above the legislative and executive, and to show, if this is so, how it became so.

Rev. Eli J. Forsythe, an evangelist preaching in Milwaukee, Wisconsin, last Sunday, took as his subject "the modern dance." The report of his discourse says he lambasted the modern dance in so forceful a manner that women in the congregation held their fingers in their ears to avoid hearing him. He so vividly described what is his opinion of the emotions of the dancers that many men as well as women refused to stay through the sermon. Among other things he said the modern dance was so degrading that "no girl could leave a dance hall with the same degree of modesty as before she entered it." Many tried to escape the church but found the doors locked and guarded by ushers and entreaties to be permitted to leave were unavailing. Only a threat to have a fire department enforce the regulations at last opened the way for escape. This is something entirely new in the way of "holding an audience spellbound."

The British Press as well as the people are unanimous in favoring food regulation. They have not tried it yet, and perhaps when they do they will not be so strongly for it.

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THEY MIGHT BOYCOTT IT

The prisoners at the penitentiary have asked the board of control to meet a delegation from the prisoners to discuss the management of the prison. It is a happy thought, for surely the prisoners know more of the hardships of the place than even the officers. Who is better qualified to pass upon the management of the institution than those who have made a life study of it or are doing so? It is well enough for the board to hear any complaints the prisoners may have to make, humanity demands that; but in the management of the prison there should be some outside of it capable of handling the job without consulting those inside. No doubt the prisoners find many things they would like to change, for their work is "confining," but they should remember the place was not originally intended as a summer resort or pleasure palace, although many of our social workers seem to labor under that impression. If they do not like the board and lodging or are dissatisfied with the service, the best thing they can do is to hereafter avoid the place and refuse to patronize it in any form.

Of course, if our regular boarders at the penitentiary should refuse to commit infractions of the law in order to keep out of the institution in the future, because they dislike the way it is conducted, it would work a radical change in many things outside the penitentiary. For instance, our supply of reformed convicts who make such successful revivalists and temperance lecturers would be cut off, and many professional social up-lift reformers might have to go to work in order to earn a living. Quite likely there are other and far-reaching effects which would follow the refusal of crooks and thugs to do things that would land them in a penitentiary where the employes are not attentive to their every want and there is a lack of private baths in connection with the first-class cells. Possibly the prison board might find it possible to engage the services of an experienced hotel manager who would better understand the art of catering to the wants of particular guests than the ordinary superintendent, too frequently selected as a man accustomed to dealing with criminals.

The board, in considering the petition of the lady and gentlemen convicts, should get entirely away from the idea that the penitentiary is a place of punishment and remember that it is only the law-abiding citizen who is never considered by the long-haired prison reformers. The taxpayers who are paying the bills for the entertainment of this choice assortment of law-breakers might consider their petition from a different angle—but nobody except the tax collector ever thinks of them anyway.

Discussion of our methods of election has been renewed by the close vote for president and of the defeat of the party which had large pluralities in the populous northern states by the party which had small pluralities in the less populous western and southern states. Though it had supported the winning candidate, the New York World opened the discussion by proposing that the constitution be amended by abolishing the electoral college and by providing that the president and vice president be elected by direct popular vote without regard to state lines.

The Oregonian is as hard a loser as it was an unfair campaigner. If it thinks the West is of so little consequence why doesn't it move back East, the dumping ground of the scum of the old world, and print its paper in a more congenial atmosphere. Wilson would have been elected under any old plan of election. He has a large majority in the electoral college, and a popular majority of over 400,000. All the real Hughes strength was concentrated in the three states of New York, Pennsylvania and Illinois. Most of the other states on his list were carried by very narrow margins. No possible system of electing a president would have made his chances any better than the present plan.

Dr. Aked, who resigned a \$10,000 pastorate to go to Europe with the Ford party, and who later resigned and returned to America, was not re-elected to his old position a few days ago, and the result is a regular war among his church's congregation. He should take heart of grace and consider the condition of a gentleman occupying a much higher position than he, who resigned in order to take a hand in the political game and who finds just as does Dr. Aked that he cannot resume his old position.



MONEY BACK

"Your money back if things don't suit," our grocer says, in all his ads; but when I bought some wormy fruit, for which I paid my hard-earned seeds, he did not cheerfully refund; his whiskers he began to comb, and tightened up his cummerbund, and talked until the cows came home. "Those prunes," he said, in heated terms, "were fresh when taken from the shelf," implying that I put the worms into the doggone prunes myself. I pulled his ears and tweaked his nose, and said, "We'll just forget those prunes, but never more, tell life shall close, will I spend here my picayunes." A lot of merchants make that bluff, "Your money back, if things don't please," but when you call to get the stuff, they hand you out the same old wheeze. But now and then a merchant bold makes good and never bats a glim; you say that man's as good as gold, and name your infant after him.



THE DOWN-TRODDEN RAILROADS

But while all these conditions are contributing factors, it must not be forgotten that one of the prime causes of the car shortage and general lack of transportation facilities that is being felt throughout the country is the public hostility toward the railroads that has been so openly manifested for so many years. The railroads have been opposed at almost every point and have faced a hostile public sentiment. They have been starved for years, and as a result have not been able to keep pace in the way of improvements and new lines and new rolling stock with the development of the country. The natural result is a shortage of transportation facilities no what the country has begun to move forward rapidly in response to the stimulus of the war.—Eugene Register.

Just plain rot! The railroads last year made more money than ever before in the history of the country. That doesn't look like they were suffering much from anything. There was not the slightest excuse for their refusing to expend a few millions to provide ample facilities for taking care of the business of the country. Not until the newspapers of Oregon quit emitting these plaintive wails on behalf of the railroad corporations, and we begin to elect representatives of the people instead of the railroads to state offices and the legislature will there be any tangible prospect of relief from the present intolerable transportation conditions. The Northwest is short on cars and its railroads lack terminal facilities and shops in many places where they ought to have them, and newspapers like the Register blame the people for this condition instead of bringing to account the dividend gluttons who control the railroad corporations! Let the railroads cut off their paid legislative lobbyists, their newspaper organs, their politician employes and high-priced lawyers retained to defeat laws passed for the protection of the public, getting down to a business basis, and the saving in a single year would be sufficient to provide all the facilities necessary to take care of the traffic of the country.

The blatant voice dwelling at Oyster Bay made itself heard again in an address before the American Academy of Arts and Literature at New York. For once it told the truth, quite likely by accident, when it said: "The effort to be original by being fantastic is always cheap." In this case his address was illustrated by his presence. He is a living evidence of the truth of his statement.

The weather as well as politics is doing some queer stunts this year. Reports from Alaska are to the effect that it has been raining there since the 10th of the month and the weather is warm. Here in Oregon it has been clear and cold with the thermometer lower than at any time in the average winter.

TAX LIMITATION BILL

Salem, Ore., Nov. 17, 1916.
To the Editor: Inasmuch as there has been considerable discussion pertaining to the Six Per Cent Tax Limitation Bill, which was lately passed, I desire to make known my position on this measure.
I opposed this bill before the election on the ground that it did not appear as was intended by its makers and under its provisions the state could not raise within \$583,000 as much next year as they thought it could.
The object of the bill was to prevent the state or any tax levying district in the state from spending more money one year than it had spent the preceding year, plus six per cent, but the bill was made to read that neither the state nor any tax levying district in the state can raise more money one year than it raised the preceding year, plus six per cent, which is quite a different proposition. For instance, the State of Oregon required to pay the running expenses of its departments and institutions for the year 1916, \$3,100,000, in addition to money raised from indirect sources. The state carried over an unexpended balance from 1915, of \$550,000, and after deducting this amount from the amount required, namely \$3,100,000, it raised but \$2,550,000 for 1916, although it spent \$3,100,000. Now, under the provisions of this constitutional amendment the state cannot raise but six per cent more than \$2,550,000 next year, or \$2,703,000, which is \$400,000 less than the amount expended in 1916.
Mr. Robert Smith, secretary of the Tax Payers' League, which body drafted this bill, admitted, in a discussion with me, before the Chamber of Commerce in Portland, Monday, October 29th, that the committee did not know, when drafting this measure, the state carried over a balance of \$550,000 into this year's budget. Therefore, they thought they were placing the state on an equality with other municipalities by permitting it to raise for 1917 as much as it spent in 1916 and six per cent more, which would be \$3,100,000 plus six per cent, or \$3,286,000, which is \$583,000 more than it actually can raise, under the provisions of the bill. As proof of this, Mr. Smith, secretary of the Tax Payers' League, said in his argument in the voters' pamphlet, referring to the bill, "It means that Oregon can continue to spend all the money she is now expending and can increase it six per cent; but if our public officials wish to increase it at a faster rate they must get the authority of the voters."
Now, as a matter of fact, this measure does not mean anything of the kind, but in the way it applies, it means that the state can raise \$2,550,000 plus six per cent, or \$2,692,500, that it is now spending, and that it cannot raise within \$583,000 of what Mr. Smith and others thought it could raise and intended it could raise when drafting the bill.
Therefore, instead of permitting the

THE WHOLE BODY NEEDS PURE BLOOD

The bones, the muscles, and all the organs of the body depend for their strength and tone and healthy action on pure blood.
If the blood is very impure, the bones become diseased; the muscles become emaciated, the step loses its elasticity, and there is inability to perform the usual amount of labor. The skin loses its clearness, and pimples, blotches and other eruptions appear.
Hood's Sarsaparilla makes pure blood. It is positively unequalled in the treatment of scrofula and other humors, catarrh, rheumatism, dyspepsia, loss of appetite, that tired feeling. Be sure to get Hood's and get it today. All druggists.

LATE HOP NOTES.

Lewis Keihl has sold 35 bales of hops to Bishop of McMinnville at 11 cents. This was a lot of prime to choice hops.
Henry L. Bents bought 31 bales of hops from Ella M. Finney at Gervais this week at 10 3/4 cents, and is shipping two cars from Oregon Electric points. Getting cars on that road is now becoming very uncertain. It required over 10 days to secure the two Mr. Bents shipped out.
Fred Bates has sold his lot of 114 bales of hops to L. L. Griddle, for the Wolf Hop company at 11 cents. This was one of the best lots in the Aurora section, it is said.
Buck Hutchinson has contracted 20,000 pounds of 1917 hops from the Gilberton yards near Fargo to L. L. Griddle for the Seaway Hop company at 11 cents. The 1916 hops from this yard were contracted to the same firm.
Most hop growers are agreed that the crop will be greatly reduced next year. The spread of prohibition is discouraging to the hop industry, though the newly voted dry states do not become actually dry until 1919. The trend of that many growers profess to see the end of the business and will prepare for something else to follow it, though few of them know what it will be.
Last week showed considerable movement in hops on the coast, some 2,500 bales changed hands in the coast states, at prices varying from 8c to 12c. The highest price reported paid in Oregon last week was 11 1/2c, though Yakima lots are said to have sold at 11c to 13c. California brought as high as 11 1/2c.—Aurora Observer.

NEW CHEESE FACTORY.

The neighboring dairymen of South Silverton and the Waldo Hills, met at the home of Wm. Kaufman Saturday evening for the purpose of organizing a cooperative cheese association. Organization was perfected by electing the following officers:
Wm. King, chairman.
L. B. Haberly, secretary.
H. H. Kuenzi, Alfred Kuenzi, S. V. Kaiser and Jacob Zuercher, directors.
Steps will be taken to organize under the cooperative enactment of the last legislature.
The board of directors at a subsequent meeting decided to begin building operations at once and expect to commence receiving milk for the factory by March 1st.
The factory will be located four miles southwest of Silverton on what is known as the Dr. Blackburn D. L. C.
Four thousand pounds of milk per day has already been assured.
This organization is promoted by men of enterprise and the factory will afford a new and ready market for the dairymen's product.—Silverton Tribune.
state to spend as much as it has spent heretofore, and six per cent more, the bill, on account of being improperly drawn, through lack of knowledge on the part of the committee drafting same, prohibits the state from spending seventeen per cent of what it spent last year, and of course will seriously embarrass the state or other municipalities who may be caught in the same condition. Very respectfully,
T. B. KAY.



BUSINESS VERSUS PLEASURE

CHAPTER LXXIX.
On the Way.
"Mayson has asked us out to the club to dinner," Clifford remarked the next morning at breakfast. It was very late the night before when he came in, and I had pretended to be asleep.
"That will be nice!" I answered. I realized that my tone was rather forced in spite of an effort to act natural. I had been hurt because Clifford had left me alone so late, and naturally wondered with whom he had been.
"Has that motor come yet?" he asked. There had been some trifling alterations to the coat, and it had only been delivered late the day before.
"Yes, it came last night."
"That's good! Is it all right?"
"It's perfect."
"I expect we will have a fine dinner and a pleasant evening, but remember, this is a business trip and if I can get Mayson to talking, be careful you do not interrupt."
"Why, I never do!" I exclaimed.
"But I have noticed he doesn't seem very keen to talk business when he's with us."
"Well, he has got to tonight! And I trust you see to distract his attention after you see me commence to talk."
"I surely shall not!" I replied, and Clifford rose from the table after cautioning me to be all ready by 5 o'clock.
It was a delightful ride out to the club. As I leaned back in the luxurious limousine and listened to Clifford and Mr. Mayson talk—not business, but of sports, motor cars, etc., I felt very comfortable and happy. I said very little, and they both rallied me on my taciturnity.
"I am altogether too comfortable to talk!" I declared.
"And you make such a charming picture in that rose-colored coat, you ought not to be expected to," Mr. Mayson rejoined.
"It is rather fetching against the gray of the car," Clifford added.
"It is brand new; Mr. Hammond bought it for me the other day, and this is the first time I have worn it. Don't you think he has good taste?" I asked Mr. Mayson.
"He certainly has—in other things as well as in coats," he replied, with a meaning glance which brought the color flaming in my cheeks.
To my relief we just then drove up to the entrance of the club, so I was not obliged to notice his remark.
The Country Club.
I was delighted with the club. It was beautifully appointed, and the service excellent. We had a wonderful dinner, evidently ordered before our arrival, and met several people, friends of Mr.

(Monday—The Next Day.)